

there are basically four steps in the process of LB 407, first, that a technical committee is...that an application is to be submitted. The application that was submitted to this Technical Review Committee reviewing LB 131, it was not LB 131. The optometrists very legitimately and very skillfully came in with a much broader recommendation than LB 131 for their suggestion. They basically said, if we have got to start at the beginning, let's ask for the whole ball of wax, and they did. The second step then is the review by the technical committee. The technical committee reviewed the bill, reviewed the proposal, what they did is they narrowed the scope back down to LB 131. The next step then which was...

SENATOR CARSTEN: Excuse me, Senator Withem. (Gavel.) Let's quiet down a little bit, please. It is awfully (mike off) here.

SENATOR WITHEM: Thank you, Senator Carsten. The next step was to be, or in most cases is to be a recommendation by the Board of Health. That was not done last time because of time constraints, but then in Section 26 of LB 407, Final Reading copy, states, "After receiving the reports from the committee or the board, the director shall prepare a final report for the Legislature." Now, that final report by Director Wright recommended against passage of 131. The Technical Review Committee gave a split recommendation. The final report to the Legislature, as mandated in 407, is that this not be accepted. Now, we, the Legislature, are free independent bodies. Now, I argued this last year and I argued in behalf of 407. We look at all the information available to us and we make a final vote on the bill. What we need to do, though, is if we are going to argue that the 407 process says anything, we have got to look at what 407 actually said, and if you are going to read what 407 had to say, it is the recommendation of 407 is not to advance LB 131. I think there are other reasons for opposing LB 131. I have served on the Health and Welfare Committee ever since I have been in the Legislature, which admittedly isn't all that long, but this is an issue that has constantly been in front of us. It is one I have wrestled with...

SENATOR CARSTEN: One minute.

SENATOR WITHEM: ...back and forth. I have been on both